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HOUSE BILL 651

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

W. Ken Martinez

AN ACT

RELATING TO VOTING; RESTORING A FELON'S RIGHT TO VOTE
IMMEDIATELY UPON RELEASE FROM A CORRECTIONS FACILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new Section 1-4-27.2 NMSA 1978 is enacted to
read:

"1-4-27.2. [NEW MATERIAL] CANCELLATION OF REGISTRATION--
ELIGIBILITY FOR VOTING UPON SATISFACTION OF CONDITIONS.--

A. A person convicted of a felony offense shall be
restored the right to vote and shall be eligible to register to
vote except while imprisoned in a correctional facility for the
offense or for a probation or parole violation.

B. Upon physically releasing a person from a
correctional facility under the jurisdiction of the corrections
department, the corrections department shall inform the person

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1 in writing that the person is entitled to register to vote.

2 C. The secretary of state shall maintain current in
3 the statewide computerized voter registration system a person's
4 voter eligibility status to register to vote under this
5 section.

6 D. Notwithstanding a person's status in the
7 statewide computerized voter registration system, a person who
8 appears personally before a county clerk or the clerk's
9 authorized representative is presumed eligible to register to
10 vote under this section.

11 E. The corrections department, the New Mexico
12 sentencing commission and the administrative office of the
13 courts shall deliver to the secretary of state information and
14 data as needed to carry out the provisions of this section."

15 Section 2. A new Section 31-13-1.1 NMSA 1978 is enacted
16 to read:

17 "31-13-1.1. [NEW MATERIAL] FELONY CONVICTION--RESTORATION
18 OF CITIZENSHIP.--A person who has been convicted of a felony
19 shall not be permitted to hold an office of public trust for
20 the state, a county, a municipality or a district unless the
21 person presents the governor with a certificate verifying
22 completion of the person's sentence and the governor grants a
23 pardon or issues a certificate restoring the person's full
24 rights of citizenship."

25 Section 3. REPEAL.--Sections 1-4-27.1 and 31-13-1 NMSA
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1 1978 (being Laws 2001, Chapter 46, Section 1 and Laws 1963,
2 Chapter 303, Section 29-14, as amended) are repealed.

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